

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:	§	
	§	
DRILLING STRUCTURES	§	CASE NO. 18-33395
INTERNATIONAL, INC.	§	
	§	
DEBTOR	§	CHAPTER 11

**DEBTOR'S MOTION FOR ORDER ALLOWING MEDIATION
REGARDING PRE-PETITION STATE COURT LITIGATION**

THIS MOTION SEEKS ENTRY OF AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

To The Honorable United States Bankruptcy Judge:

Drilling Structures International, Inc. ("DSI" or the "Debtor") hereby files this motion for entry of an order allowing mediation regarding pre-petition state court litigation, and granting related relief as further described herein. In support of the Motion, the Debtor, by and through its undersigned counsel, respectfully represents:

JURISDICTION AND VENUE

1. This Court has jurisdiction to consider the Motion under 28 U.S.C. §§ 157 and 1334. This is a core proceeding under 28 U.S.C. § 157(b). Venue of this case and the Motion in this

district is proper under 28 U.S.C. §§ 1408 and 1409.

BACKGROUND

2. DSI is a Co-Defendant in a wrongful death cause of action pending in Cause No. 2016-522599, in the 72nd Judicial District Court of Lubbock County, Texas, *Velez, et al vs. Norton Energy Drilling, LLC and Drilling Structures International, Inc.*

3. The parties have agreed to mediate the above-described litigation in an attempt to settle all claims. The mediation has been scheduled for August 22, 2018, in Dallas, Texas. The parties have selected Frank E. “Dirk” Murchison as the mediator. Mr. Murchison is an experienced mediator who is board certified in civil trial law and personal injury trial law, Texas Board of Legal Specialization, whose offices are located in Lubbock, Texas and Taos, New Mexico. Mr. Murchison is licensed in Texas and New Mexico. Mr. Murchison’s practice consists of arbitration and mediation with an emphasis on catastrophic personal injury, and complex commercial cases.

4. Payment of the fees for the mediation will be divided three ways by the parties with DSI’s one-third share to be paid by DSI’s insurance carriers.

RELIEF REQUESTED

5. Debtor seeks entry of an Order (the “Order”) authorizing the Debtor to enter into a mediation agreement with the parties to the above-described litigation; and allowing Debtor’s one-third share of the mediation fees to be paid by it’s insurance carriers. Debtor believes that entry of the Order is in the best interests of the estate.

6. Based on the foregoing, the Debtor submits that the relief requested herein is in the best interest of the Debtor, its estate, creditors, stakeholders and other parties in interest.

CONCLUSION

WHEREFORE, the Debtor respectfully requests that the Court enter an Order granting the relief requested in the Motion and such other and further relief as may be just and proper.

Respectfully submitted,

FUQUA & ASSOCIATES, PC

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COUNSEL FOR DEBTOR

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was forwarded by ECF and/or regular United States mail, postage prepaid, on August 9th, 2018 to the parties listed on the attached service list.

/s/ Richard L. Fuqua
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Houston, TX 77056

Pro-Line Water Screen Services
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Pearland, TX 77588

Lloyds of London
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Dallas, TX 75231

Capital Premium Financing
12235 S 800 E Draper
Draper, UT 84020

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PO Box 650448
Dallas, TX 75265-0448

Bowen Miclette And Britt Ins.
PO Box 922022
Houston, TX 77292

Bentley, Bratcher & Associates
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Houston, TX 77067-4525

Medcalf Fabrication
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Blue Cross Blue Shield Texas
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Praxair Dist. Inc.
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Castle Metals
PO Box 841949
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PO Box 94014
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